REMARKS

Claims 1, 2 and 9 have been amended to address the rejection for indefiniteness which is considered to be now moot. The Markush group of claim 1 has been expanded to include pH as one of the factors subject to measurement – see examples 2 and 3 of applicants' specification.

New claims 11-13, 15 and 16 find support in the description of the working examples at pages 9-15. New claim 14 finds support in the form of a corresponding description at page 12 of applicants' specification.

The undersigned thanks the Examiner for her time in the telephone interview of March 6, 2007 in which the Examiner explained the manner in which she is using the teachings of the primary reference (GB'089). As explained by the Examiner, she is relying on the background teaching of the reference relating to Fig. 3, rather than the description of the method of preservation of blood which follows and which is the "invention", as characterized by the reference. The "Proposed Response" (copy attached), which was forwarded to the Examiner by facsimile on March 5, 2007, interpreted the explanation of the obviousness rejection, as set forth in the office action, as improperly combining the description of the inventive blood preservation method with description of a protocol used in experimentation to determine the source of the problem, i.e. why the storage time of erythrocytes at 4° C in actual practice was "less than 30 days" whereas the theoretical storage time of erythrocytes at 4° C projects to 1200 days based on the levels of lactic acid obtained from blood samples incubated at various temperatures as shown in Fig. 1.

The rejection of claims 1-10 for obviousness over GB Patent No. 996,089 in view of Barrett-Reis et al is respectfully traversed. In the interview the Examiner denied that she is combining teachings of GB'069 relating to (1) features of the inventive blood preservation method with (2) the experimental methodology which generated Fig. 3 and explained that she is relying on the secondary reference as teaching steps (a) – (g) of applicants' claim 1. However, at the bottom of page 3 of the office action the Examiner writes: "The method [taught by GB'069] comprises removing a portion of the metabolic

products (i.e. lactic acid) ... " The only teaching in GB'069 of "removing a portion of the metabolic products" relates to the inventive blood preservation method, not the methodology which produced the data of Fig. 3. As explained in the proposed response, features of the inventive blood preservation method (storage with refrigeration) cannot properly be combined with the Fig. 3 methodology. The "buffered saline solution" of GB'069, referred to by the Examiner at page 3 of the office action, is mentioned in GB'069 only in connection with the inventive blood preservation method. There is no disclosure in GB'069 of the suspension medium used in the testing which generated Fig. 3.

The secondary reference, Barrett-Reis et al, discloses the formation of a suspension of red blood cells in a PBS buffer. However, the PBS buffer is not a hypertonic solution. Therefore the combination of GB'069 and Barrett-Reis does not lead to the claimed invention in which a hypertonic solution is used to extract solutes from red blood cells in step (f).

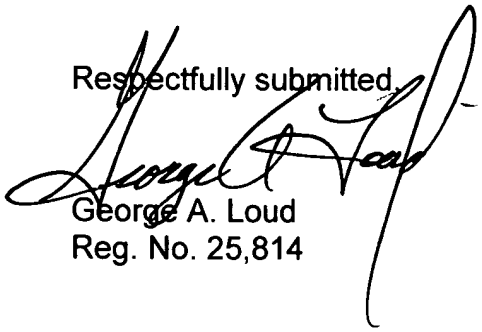
New Claims 11-16

No reference of record teaches or suggests any method for measuring glucose concentration (claims 11 and 12), any blood test involving measurement of oxidation-reduction potential in red blood cells and/or plasma (claim 13) or any method involving separate measurements of lactic acid concentrations in the red blood cells and in the plasma and a comparison of those measurements (claim 14). In telephone conversation on March 6, 2007, the examiner indicated that claims 11-14 appear to be patentable over the prior art of record.

New claims 15 and 16 have now been further added and are believed to be likewise patentable over the prior art of record. No reference of record teaches or suggests any blood test method for measuring pyruvic acid concentration (claim 15) or any blood test method involving pH measurement of a supernatant containing solutes extracted from within red blood cells (claim 16).

In conclusion, the Examiner is respectfully requested to reconsider and withdraw the rejections of record.

Respectfully submitted,



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